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8 UNITED STATES DISTRICT COURT
9 Northern District of California
10 Oakland Division

11 MIGUEL C. GOMEZ, et al., No. C 11-01725 LB
12 Plaintiffs,
13 v.
14 WELL'S FARGO HOME MORTGAGE, et al., ORDER (1) GRANTING PLAINTIFFS'
15 Defendants. [Re: ECF Nos. 40, 42] MOTION FOR EXTENSION OF TIME
/ AND (2) DENYING DEFENDANTS' MOTION FOR DISMISSAL

16 On November 21, 2011, the court granted Defendants' motions to dismiss Plaintiffs' complaint.
17 Order, ECF No. 39.¹ The court allowed Plaintiffs to file a First Amended Complaint within 14 days
18 – or by December 5, 2011. *Id.* at 21. They did not. Instead, on December 5 they requested an
19 additional 45 days to do so. Motion, ECF No. 40. Defendants opposed the motion and
20 simultaneously moved for dismissal based on Plaintiffs' failure to prosecute their action in a timely
21 fashion. Opposition, ECF No. 42

22 Upon consideration of the moving papers, the court finds good cause to give Plaintiffs extra time
23 to file a First Amended Complaint. Their motion is GRANTED. Plaintiffs shall file any First
24 Amended Complaint **on or before January 19, 2012** (45 days from the previous deadline of
25 December 5, 2011). Defendants' motion for dismissal is DENIED.

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28 ¹ Citations are to the Electronic Case File ("ECF") with pin cites to the electronic page number at the top of the document, not the pages at the bottom.

1 This disposes of ECF Nos. 40, 42.

2 **IT IS SO ORDERED.**

3 Dated: December 21, 2011

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5 LAUREL BEELER
6 United States Magistrate Judge
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